

Message Text

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ORIGIN NEA-10

INFO OCT-01 AF-10 EUR-12 IO-14 ISO-00 CIAE-00 DODE-00
PM-05 H-02 INR-07 L-03 NSAE-00 NSC-05 PA-02
PRS-01 SP-02 SS-15 USIA-15 DHA-05 OMB-01 TRSE-00
/110 R

DRAFTED BY NEA/AFN:TSWILKINSON:MAR
APPROVED BY NEA:NAVELIOTES
L/PM:JMICHEL (DRAFT)
PM/SAS:CCECIL (DRAFT)
IO/UNP:SESCUDERO (DRAFT)
AF/W:DKILLION (DRAFT)
H:RFLATEN (DRAFT)
INR/RNA:BFLORA (DRAFT)

-----101713 131717Z /70

P R 131636Z OCT 77
FM SECSTATE WASHDC
TO AMEMBASSY RABAT PRIORITY
AMEMBASSY ALGIERS PRIORITY
AMEMBASSY NOUAKCHOTT PRIORITY
INFO AMEMBASSY MADRID
USMISSION USUN NEW YORK
AMEMBASSY TEL AVIV

UNCLAS STATE 245767

TEL AVIV FOR OISHOP

E.O. 11652: N/A

TAGS: PFOR, MO, SS

SUBJECT: HEARINGS ON FORMER SPANISH SAHARA

1. FOLLOWING IS TEXT OF STATEMENT BY DEPUTY ASSISTANT
SECRETARY VELIOTES AT HIRC HEARINGS ON FORMER SPANISH
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SAHARA, OCTOBER 12, 1977:

2. BEGIN TEXT:

MR. CHAIRMAN, THE DISPUTE ABOUT THE WESTERN SAHARA, OR
THE FORMER SPANISH SAHARA, IS FORMALLY BEING CONSIDERED
BY THE ORGANIZATION OF AFRICAN UNITY, UNDER A MANDATE
FROM THE UN GENERAL ASSEMBLY. THE UNITED STATES PLAYS
NO DIRECT ROLE, AND HAS MAINTAINED A POLICY OF NEUTRALITY.

WE ARE HERE TODAY TO EXPLAIN THIS POLICY. LET ME BRIEFLY REVIEW THE BACKGROUND.

THE WESTERN SAHARA IS LOCATED ALONG THE ATLANTIC COAST OF NORTHWEST AFRICA. SPAIN UNILATERALLY PROCLAIMED A PROTECTORATE OVER THE SPARSELY POPULATED AREA AT THE CONGRESS OF BERLIN IN 1885, AND THE PRECISE BORDERS OF WHAT BECAME THE SPANISH SAHARA WERE DERIVED FROM A SERIES OF FRANCO-SPANISH CONVENTIONS BETWEEN 1900 AND 1912. THE TERRITORY'S POPULATION, ESTIMATED BY SPAIN IN 1975 TO INCLUDE 74,000

INDIGENOUS SAHARANS, INHABITED AN ARID EXPANSE OF APPROXIMATELY 265,000 SQUARE MILES. THE POPULATION CONSISTED PRIMARILY OF NOMADIC HERDSMEN, BUT A SMALL URBAN SETTLEMENT DEVELOPED AT THE SPANISH ADMINISTRATIVE CAPITAL OF EL AAIUN.

AS SPAIN ADVANCED ITS PLANNING FOR WITHDRAWAL FROM ITS SAHARAN TERRITORY IN 1974-75, THE UN BECAME INCREASINGLY ACTIVE IN PLANNING FOR THE TRANSITION. MOROCCO AND MAURITANIA HAD LONG-STANDING CLAIMS TO PORTIONS OF THE TERRITORY. IN DECEMBER 1974, THE UN GENERAL ASSEMBLY CALLED FOR AN ADVISORY OPINION FROM THE INTERNATIONAL COURT OF JUSTICE (ICJ) AND A UN FACT-FINDING MISSION TO THE TERRITORY.

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TORY TO HELP EVALUATE THESE CLAIMS.

THE UN FACT-FINDING MISSION WHICH VISITED THE REGION IN THE SUMMER OF 1975 RECOMMENDED A "CONSULTATION" UNDER UN AUSPICES TO ENABLE THE SAHARAN POPULATION TO DETERMINE ITS OWN FUTURE. ON OCTOBER 16, 1975, THE ICJ FOUND THAT CERTAIN HISTORIC TIES AND ALLEGIANCES EXISTED BETWEEN THE SAHARAN TERRITORY AND EACH OF THE SURROUNDING STATES--MOROCCO, MAURITANIA, AND ALGERIA. AT THE SAME TIME, THE COURT CONCLUDED THAT NONE OF THESE TIES CONSTITUTED A BASIS FOR A CLAIM OF SOVEREIGNTY, NOR DID THEY VITIATE THE RIGHT OF SELF-DETERMINATION FOR THE SAHARAN PEOPLE.

WITH ALL SIDES MAINTAINING THAT THEIR VIEWS WERE CONFIRMED BY THE ICJ OPINION, THE MOROCCANS ANNOUNCED PLANS FOR THE "GREEN MARCH" OF UNARMED CIVILIANS INTO THE SAHARAN TERRITORY IN THE FIRST WEEK OF NOVEMBER 1975. IT IS GENERALLY AGREED THAT THIS ACTION WAS ORGANIZED BY THE MOROCCAN GOVERNMENT TO INFLUENCE THE SITUATION IN ITS FAVOR. AFTER THE GREEN MARCH TOOK PLACE, THE SPANISH GOVERNMENT ENTERED INTO AN AGREEMENT WITH MOROCCO AND MAURITANIA AT MADRID ON NOVEMBER 14, 1975, TO TRANSFER ADMINISTRATIVE CONTROL OF THE TERRITORY TO THEM. THE QUESTION OF SOVEREIGNTY WAS NOT EXPRESSLY ADDRESSED.

DURING THIS PERIOD OF LATE OCTOBER/EARLY NOVEMBER, 1975, I SHOULD LIKE TO NOTE THAT THE UNITED STATES JOINED WITH OTHER MEMBERS OF THE UN SECURITY COUNCIL IN A SERIES OF CONSENSUS RESOLUTIONS WHICH URGED RESTRAINT ON THE PARTIES, DISCOURAGED UNILATERAL ACTIONS, AND--AFTER THE GREEN MARCH HAD BEGUN--CALLED ON MOROCCO TO WITHDRAW.

IN DECEMBER 1975 THE UN GENERAL ASSEMBLY ADOPTED TWO RESOLUTIONS, TO A DEGREE CONFLICTING. ONE, WHICH WAS SPONSORED BY ALGERIA, CALLED ON SPAIN TO ASSURE THAT THE SAHARANS COULD EXERCISE THEIR RIGHT TO SELF-DETERMINATION
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UNDER UN SUPERVISION. NO REFERENCE WAS MADE TO THE MADRID AGREEMENT. THE U.S. ABSTAINED ON THIS RESOLUTION. IN CONTRAST, WE SUPPORTED THE SECOND RESOLUTION BECAUSE IT TOOK NOTE OF THE MADRID AGREEMENT--WHICH WE BELIEVED AT THE TIME OFFERED THE BEST BASIS FOR AN EVENTUAL PEACEFUL SETTLEMENT--AND CALLED ON THE ADMINISTRATORS OF THE TERRITORY TO ENSURE THAT THE SAHARANS WOULD BE ABLE TO EXERCISE THEIR RIGHT TO SELF-DETERMINATION THROUGH FREE CONSULTATIONS ORGANIZED WITH THE ASSISTANCE OF A UN REPRESENTATIVE.

BECAUSE OF THE INCONSISTENCIES IN THESE RESOLUTIONS, THERE HAS BEEN CONFUSION AND DISAGREEMENT AS TO WHETHER THEIR TERMS HAVE BEEN FULFILLED. MOROCCO AND MAURITANIA HAVE CITED THE FEBRUARY 1976 ENDORSEMENT OF MEMBERS OF THE FORMER PROVINCIAL ASSEMBLY, THE JEMAA, AND THE FACT THAT RESIDENTS OF THE WESTERN SAHARA VOTED IN THEIR NATIONAL PARLIAMENTARY ELECTIONS DURING THE PAST YEAR AS EVIDENCE THAT THE SAHARANS HAVE BEEN ABLE TO EXPRESS THEMSELVES POLITICALLY. MOROCCO'S KING HASSAN HAS ALSO STATED PUBLICLY THAT HE IS WILLING TO CONDUCT A FURTHER CONSULTATION ON CONDITION THAT CALM BE RESTORED IN THE SAHARA THROUGH CESSATION OF GUERRILLA ACTIVITIES, AND THAT SPAIN PROVIDE DETAILS OF A 1974 CENSUS OF THE SAHARAN POPULATION AS A BASIS FOR THE CONSULTATION.

ALGERIA CONTENTS THAT NEITHER THE CONSULTATIONS WITH THE JEMAA NOR ANY SUBSEQUENT ACTION HAVE CONSTITUTED A GENUINE EXERCISE IN SELF-DETERMINATION. IT CONTINUES TO SUPPORT THE SAHARAN GUERRILLA GROUP (POLISARIO FRONT) AND TO CAMPAIGN DIPLOMATICALLY ON BEHALF OF ITS POLITICAL ARM, THE SAHARAN DEMOCRATIC ARAB REPUBLIC (SDAR). TO DATE THE FOLLOWING ELEVEN COUNTRIES HAVE RECOGNIZED THE SDAR:
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ALGERIA, TOGO, MADAGASCAR, BURUNDI, ANGOLA, NORTH KOREA,

MOZAMBIQUE, BENIN, GUINEA-BISSAU, RWANDA, AND SEYCHELLES.

THE U.S. HAS NO FIRST-HAND INFORMATION ON THE HOSTILITIES. U.S. OFFICIAL PERSONNEL DO NOT TRAVEL IN THE DISPUTED AREAS. THERE ARE REPORTS THAT THE POLISARIO HAS RECEIVED ARMS AID FROM LIBYA, AS WELL AS ALGERIA, AND THAT THE FRONT HAS CAPTURED SOME EQUIPMENT FROM MOROCCO AND MAURITANIA.

IT IS CLEAR FROM A VARIETY OF SOURCES THAT THE POLISARIO FORCES HAVE BEEN ABLE TO MAINTAIN A MODERATE LEVEL OF GUERRILLA ACTIVITY THROUGHOUT THE WESTERN SAHARA, AND HAVE ALSO MADE INCURSIONS INTO MOROCCO AND SOME RECENT MILITARY THRUSTS THAT HAVE PENETRATED BRIEFLY BUT DEEPLY INTO MAURITANIA, INCLUDING SEVERAL MORTAR ATTACKS ON THE EDGES OF THE CAPITAL AT NOUAKCHOTT. THE POLISARIO ARE STILL

HOLDING SIX FRENCH HOSTAGES TAKEN IN ONE RAID INTO MAURITANIA THIS SPRING.

THERE HAVE BEEN A NUMBER OF ATTEMPTS AT MEDIATION TO PUT AN END TO THE FIGHTING. TO DATE, HOWEVER, NONE OF THE ATTEMPTS HAS SUCCEEDED, WHETHER UNDER UN, REGIONAL ORGANIZATION, OR INDIVIDUAL COUNTRY AUSPICES. IN 1976, THE UN GENERAL ASSEMBLY RESOLVED THAT THE OAU SHOULD BE THE FOCUS OF EFFORTS TO PROMOTE A SETTLEMENT, AND THE UN COMMITTEE OF 24 (DECOLONIZATION) HAS RECOMMENDED THAT THE UNGA TAKE THE SAME ACTION THIS YEAR. IN THE OAU FRAMEWORK, IT WAS RESOLVED AT THE ANNUAL SUMMIT MEETING AT MAURITIUS IN JULY 1976 TO CALL AN EXTRAORDINARY SUMMIT TO CONSIDER THE PROBLEM, AND THE AFRICAN HEADS OF GOVERNMENT IN JULY 1977 AT LIBREVILLE ATTEMPTED TO FIX SUCH A MEETING FOR OCTOBER OF THIS YEAR IN LUSAKA, ZAMBIA. HOWEVER, THE ZAMBIAN GOVERNMENT SUBSEQUENTLY REGRETTED THAT IT WAS UNABLE TO HOST THE CONFERENCE AT THIS TIME, AND NO NEW DATE OR VENUE
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HAS BEEN SET. THE OAU, HOWEVER, REMAINS SEIZED OF THIS PROBLEM.

THERE HAVE ALSO BEEN A NUMBER OF SERIOUS AND COMMENDABLE ATTEMPTS AT MEDIATION OVER THE PAST TWO YEARS BY INDIVIDUAL COUNTRIES IN THE REGION, BOTH ARAB AND AFRICAN. ALTHOUGH NONE HAS YET BORNE FRUIT, THERE ARE REPORTS OF ONGOING EFFORTS.

FOR OUR PART, WE HAVE MAINTAINED A NEUTRAL POSTURE. ON THE ONE HAND, WE HAVE RECOGNIZED THE 1975 MADRID ACCORD THROUGH OUR VOTE FOR THE UN RESOLUTION THAT MAKES REFERENCE TO IT. ON THE OTHER HAND, WE HAVE REFRAINED FROM ACKNOWLEDGING MOROCCAN AND MAURITANIAN CLAIMS TO

SOVEREIGNTY OVER THE DISPUTED TERRITORY, WHILE ACKNOWLEDGING THEIR ADMINISTRATIVE CONTROL OF THE TERRITORY. IN OUR TALKS WITH INTERESTED AND CONCERNED PARTIES, WE HAVE ALSO EXPRESSED THE VIEW THAT THE PROBLEM CAN BEST BE RESOLVED ON A REGIONAL BASIS, WITH ANY APPROPRIATE GOOD OFFICES THAT THE UN SECRETARY GENERAL CAN OFFER, AND THAT IT SHOULD NOT BECOME A SOURCE OF CONTENTION AMONG THE GREAT POWERS.

FOR THESE REASONS, WE HAVE NOT TAKEN A POSITION ON THE QUESTION OF WHETHER THE EXERCISE OF SELF-DETERMINATION FOR THE SAHARAN PEOPLE HAS BEEN LEGALLY COMPLETED. WE ACCEPT THE VIEW THAT THIS IS A FAIR LEGAL QUESTION--BUT IT IS A QUESTION ON WHICH WE HAVE CHOSEN NOT TO EXPRESS A JUDGMENT. IN ADDITION TO PREJUDICING POSSIBILITIES FOR A RESOLUTION OF THE DISPUTE THROUGH MEDIATION AND NEGOTIATION, TO MAKE SUCH A JUDGMENT COULD ONLY COMPLICATE OUR LONG-STANDING

AND BROADLY BASED RELATIONS WITH MOROCCO--AN INFLUENTIAL
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MODERATE IN THE STRATEGIC NORTH AFRICAN AREA--AND OUR FRIENDLY RELATIONS WITH MAURITANIA, ON THE ONE HAND; OR OUR IMPORTANT ECONOMIC INTERESTS AND IMPROVING RELATIONS WITH ALGERIA ON THE OTHER. IN ADDITION, AS MENTIONED ABOVE, WE BELIEVE THAT THIS SHOULD BE SOLVED AS A REGIONAL PROBLEM AND WE WISH TO AVOID THE RISK THAT IT MIGHT BECOME A SOURCE OF CONTENTION AMONG MAJOR OUTSIDE POWERS.

IN THIS REGARD, OUR POLICY IS SIMILAR TO THAT OF OUR WESTERN EUROPEAN ALLIES, TO MOST OF THE ARAB COUNTRIES, MANY OF THE AFRICAN COUNTRIES, AND INDEED TO THAT OF THE USSR.

THE SUBCOMMITTEE HAS ALSO RAISED WHETHER U.S. SECURITY ASSISTANCE TO MOROCCO IS CONSISTENT WITH OUR NEUTRALITY IN THE DISPUTE AND THE TERMS OF OUR LEGISLATION. IT SHOULD BE NOTED THAT OUR MILITARY TRAINING AND FOREIGN MILITARY SALES PROGRAMS FOR MOROCCO PREDATE THE SAHARA DISPUTE, AND WERE INTENDED TO HELP THE MOROCCANS MODERNIZE THEIR ARMED FORCES, TAKING INTO ACCOUNT THE ARMS INVENTORIES OF SOME OTHER COUNTRIES IN THE REGION. WE HAVE EXERCISED CONSIDERABLE RESTRAINT IN PROVIDING ARMS THAT COULD CONTRIBUTE TO A REGIONAL ARMS RACE, AND THE DIFFICULTIES THAT THE MOROCCANS HAVE ENCOUNTERED IN PROCURING ARMS FROM THE U.S., DESPITE OUR FINANCING THROUGH LOAN GUARANTIES, HAVE ON OCCASION LED THEM TO SEEK OTHER SOURCES. AS ONE RECENT EXAMPLE, THE MOROCCANS CHOSE TO PURCHASE FRENCH MIRAGE F-1 AIRCRAFT RATHER THAN THE CONSIDERABLY CHEAPER U.S. F-5E TO MODERNIZE THEIR AIR FORCE, BECAUSE OF THE DELAYS THEY ENCOUNTERED IN THE U.S. AP-

PROVAL PROCESS.

IT SHOULD ALSO BE NOTED THAT THE MAJOR ITEMS OF U.S. EQUIPMENT SUPPLIED FOR THE MOROCCAN ARMY MODERNIZATION PROGRAM (M-48 TANKS AND M-113 APCs), AS WELL AS 16 U.S.-ORIGIN 155MM SELF-PROPELLED HOWITZERS TRANSFERRED LAST YEAR FROM UNCLASSIFIED UNCLASSIFIED

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IRAN, ARE KNOWN TO BE LOCATED WITHIN MOROCCO PROPER, NOT IN THE SAHARA. IT IS MORE DIFFICULT TO DETERMINE THE PRECISE LOCATION OF ALL U.S.-ORIGIN AIRCRAFT, DUE TO THEIR GREATER MOBILITY, AND THERE HAVE BEEN REPORTS THAT U.S.-ORIGIN F-5A AND B AIRCRAFT HAVE FROM TIME TO TIME BEEN USED OVER TERRITORY BEYOND MOROCCO PROPER FOR RECONNAISSANCE PURPOSES.

HOWEVER, WE HAVE NO EVIDENCE OF ANY SUBSTANTIAL VIOLATION OF THE PROVISIONS GOVERNING MOROCCO'S USE OF U.S.-ORIGIN EQUIPMENT.

FINALLY, MR. CHAIRMAN, I WANT TO TURN TO THE PLIGHT OF THE PEOPLE OF THE REGION AFFECTED BY THE SAHARAN SITUATION, MANY OF WHOM LIVE IN ADVERSE CONDITIONS IN CAMPS IN SOUTH-WEST ALGERIA. ESTIMATES OF THE NUMBERS OF SAHARAN REFUGEES IN THESE CAMPS VARY WIDELY--FROM AS FEW AS 5,000 TO OVER 100,000--DUE AT LEAST IN PART TO THE FACT THAT THERE ARE ALMOST CERTAINLY OTHER, NON-SAHARAN REFUGEES LIVING THERE. OUT OF HUMANITARIAN CONCERN WE CONTRIBUTED 100,000 DOLS LAST YEAR TO THE INTERNATIONAL COMMITTEE OF THE RED CROSS ON THE UNDERSTANDING THAT THE FUNDS WOULD BE USED FOR RELIEF OF SAHARAN REFUGEES THROUGHOUT NORTHWEST AFRICA. WE ARE PREPARED TO CONSIDER FURTHER ASSISTANCE THIS YEAR THROUGH THE UN IN RESPONSE TO AN APPEAL OF THE UN HIGH COMMISSIONER FOR REFUGEES (UNHCR) FOR AID SPECIFICALLY EARMARKED FOR THE REFUGEES LIVING IN SOUTHERN ALGERIAN CAMPS. AS WE UNDERSTAND THE SITUATION, THE HIGH COMMISSIONER MUST BE ASSURED THAT ITS REPRESENTATIVES WILL HAVE SATISFACTORY ACCESS TO THE CAMPS AND DETERMINE THE NUMBERS AND NEEDS OF THE INHABITANTS BEFORE PROCEEDING FURTHER.

MR. CHAIRMAN, THAT CONCLUDES MY STATEMENT. END TEXT.
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3. WE WILL REPORT SEPARATELY ON OTHER STATEMENTS AND QUESTIONS AT HEARING. WILL POUCH RELEVANT DOCUMENTS. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 22-Sep-1999 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: US CONGRESSIONAL HEARINGS
Control Number: n/a
Copy: SINGLE
Sent Date: 13-Oct-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE245767
Document Source: ADS
Document Unique ID: 00
Drafter: NEA/AFN:TSWILKINSON:MAR
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Expiration:
Film Number: D770373-0920
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197710108/baaaetzk.tel
Line Count: 325
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, TEXT ON MICROFILM
Message ID: 7a9bc924-c288-dd11-92da-001cc4696bcc
Office: ORIGIN NEA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 14-Dec-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 754027
Secure: OPEN
Status: NATIVE
Subject: HEARINGS ON FORMER SPANISH SAHARA
TAGS: PFOR, PGOV, PDEV, MO, SS
To: RABAT ALGIERS MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/7a9bc924-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009